

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DANIEL NIDA,

Plaintiff,

v.

UNION PACIFIC RAILROAD
COMPANY,

Defendant.

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Case No. 4:17-cv-03086-JMG-SMB

ORDER

This matter is before the Court on the Joint Stipulation and Motion for Order Directing Disclosure of Protected Health Information ([Filing Nos. 20, 21](#)). The motion is granted.

Accordingly,

IT IS ORDERED as follows:

1. This is an action in which Plaintiff, Daniel Nida, alleges that workplace exposure to certain substances caused him to develop cancer. The Court finds that because Plaintiff's physical condition is at issue, Plaintiff's past, present, and future medical condition is relevant to the claims and defenses in this action. Plaintiff, in claiming damages for pain and suffering, has also put Plaintiff's mental health condition at issue as well.

2. The Parties and their attorneys are expressly authorized to request and receive by subpoena or release Plaintiff's protected health information from all of Plaintiff's mental and medical health care providers and health insurance companies.

3. The protected health information the Parties may receive includes, but is not limited to, the following: Insurance records; patient charts, medical records, mental health records, submissions or reports to insurance companies, letters or reports to attorneys, correspondence,

reports, memoranda, notes, data, face sheets, prescription records, x rays, pathology reports, laboratory specimens, slides, radiology films and reports, billing records and invoices, and any other documents generated by any facility or received by any facility from all sources relating to Plaintiff.

4. Any person or entity in possession of Plaintiff's protected health information is hereby ordered to produce such health information in response to subpoenas or releases issued by the attorneys representing Plaintiff or Defendant in this litigation.

Dated December 1, 2017.

BY THE COURT:

S/ Susan M. Bazis
United States Magistrate Judge